

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

AMERICAN AUTOMOBILE ASSOCIATION,

Plaintiff,

v.

Case No. 10-C-223

SHIVAM HOLDINGS, LLC,

Defendant.

ORDER

Plaintiff filed a complaint alleging improper use of its “AAA” trademark on the part of the Defendant, the owner of a Super 8 motel in Sturgeon Bay, Wisconsin. Defendant has failed to answer or otherwise appear in this action. Accordingly, I granted default judgment. The judgment required the Defendant to cease use of, and destroy, all “AAA” trademarked materials. It also required the Defendant to file a report with this Court indicating its compliance. No report has been received.

Plaintiff now moves for sanctions and a finding of civil contempt against the Defendant in light of Defendant’s failure to comply with or acknowledge the judgment against it. It also seeks attorney’s fees and costs associated with the present motion. Defendant has not responded to the motion.

I am satisfied that the Defendant should be ordered to show cause why it should not be held in contempt for noncompliance with this Court’s judgment. A finding of contempt would involve imposition of a fine for every day that the Defendant continues its noncompliance. It could also

involve payment of Plaintiff's costs and attorney's fees. A hearing before this Court will be the only means for the Defendant to contest a contempt finding. If it does not appear, it will be found in contempt and a fine will be imposed.

The motion is **GRANTED**. Defendant Shivam Holdings, LLC is ordered to show cause why it should not be held in contempt for violation of the terms of this Court's judgment. The clerk will schedule a contempt hearing and send notice to the Defendant. The Plaintiff may appear at the hearing by telephone.

SO ORDERED this 28th day of June, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge